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CAN I REALLY BUY PUBLIC LAND?

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INFORMATION BULLETIN No. 2-76

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What are the prospects for acquiring Government land? How difficult is it to buy public land? How much land is available for sale each year? Is there a lot of free land around?

These are only a few of the questions Government agencies receive every day from people who have been bitten by the "public land" bug.

Many people apparently have read advertisements giving the impression that Uncle Sam is still distributing "free" public land for homesteading or selling it for next to nothing the way the Federal Government did in the days of the Old West.

Bluntly, there is no truth to such claims. There is no free public land available, and such parcels as the Government occasionally does sell cost as much as — and may cost more than — comparable private land nearby.

For purposes of this leaflet, the term "public land" pertains only to land owned by the Federal Government and administered by the Department of the Interior's Bureau of Land Management (BLM). It does not refer to land owned or administered by state, county and municipal governments, and it does not mean National Forests or National Parks.

Realistically, an individual's chances of locating and buying public land are slim. There are a number of reasons.

For one thing, sales of public lands, commonly called National Resource Lands, have declined sharply in recent years, although the Bureau now and then sells relatively small tracts of land for which there are no anticipated Federal needs. Considering the few tracts available each year and the fact that they are offered competitively, relatively few individuals receive title to public land in a given year.

The following questions are the ones most commonly asked about this subject. The answers are designed to frankly inform interested persons about both the extent of land availability and some of the difficulties involved in acquiring public land.

Where is most of the BLM land located?

Almost all of it is located in Western states — Arizona, California, Colorado, Idaho, Montana,

Nevada, New Mexico, Oregon, Utah, and Wyoming. These states contain sizeable areas remaining from the old "public domain," dating back to the year when most land west of the Mississippi River was still wilderness.

Most of the old public domain originally ceded to the United States by the states, bought by the U.S. as in the case of the Louisiana and Alaska Purchases, or otherwise acquired during the 18th and 19th centuries by now has been classified for retention by the Federal Government. It is managed under the principle of multiple use for the benefit of all the people.

What about public lands in the East and elsewhere?

Small amounts of land still remain in Alabama, Arkansas, Florida, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, North Dakota, South Dakota, Oklahoma, and Wisconsin, but land sales in these states are very rare. *There are no public lands* in Connecticut, Delaware, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia and West Virginia.

How is public land sold?

By public auction sale through competitive bidding.

Where are the sales held?

In State Offices of BLM listed at the end of this leaflet. No sales are held in Washington, D.C.

Is any of this land free or cheap?

BLM gets frequent inquiries about the availability of land from persons who have read advertisements or heard radio commercials glowingly promoting free Government land or land that can be bought for a dollar or two an acre. Our answer to such inquiries is: No, there is no such thing as free or cheap public land. Of the relatively little land that does become available for sale, every parcel is appraised by the Government at fair market value by comparing it

with current selling prices of comparable private land in the same area. You cannot buy public land for less than the appraised value. In fact, since the published appraised price is the "floor" for any bidding, many bids submitted are above that figure. Some public land parcels actually are apt to be sold for higher prices than comparable private lands in the same area.

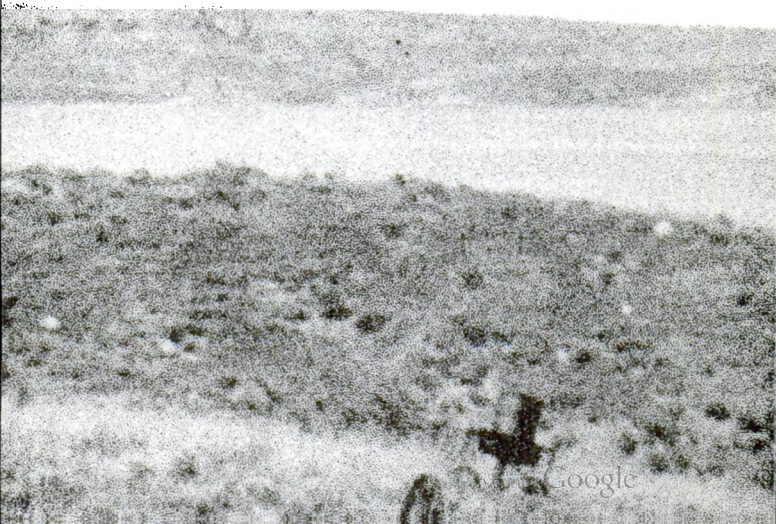
How accurate are the "Public Land for Sale" ad claims of private promoters?

Many claims of these promoters, some of whom use letterheads giving the impression that they are Government agencies, are misleading to say the least. Yet each year, innocent citizens pay many thousands of dollars for questionable services and information about public land on the dubious assumption that they are getting inside information.

The Bureau of Land Management is the only official source of authentic information about land it sells. Official information is readily available at no charge from BLM addresses listed at the end of this leaflet. Before answering misleading ads promoting the sale of bargain basement public land, persons interested in buying land should contact BLM.

If I want to buy some public land, what exactly should I do?

Because land sales are handled by BLM's State Offices, there is no single centralized source of land sale information from which you can obtain



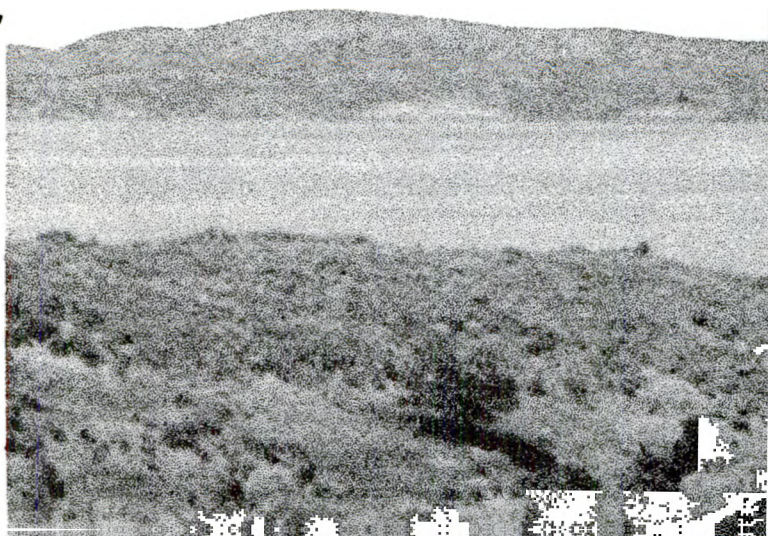
up-to-the-minute data on all pending sales. Your best bet is to write to those BLM State Offices listed in this leaflet which have jurisdiction over areas in which you may wish to bid on available land.

Neither BLM's Washington Office nor its State Offices maintain mailing lists of persons who wish to receive advance information on public land sales. However, a State Office can tell you about any sales that may be pending at the time you write.

You also may want to subscribe to "Our Public Lands," a quarterly magazine published by BLM. This magazine, which carries articles on BLM's diverse activities and on the history of the National Resource Lands, includes a page briefly describing any public land tracts known to be offered at the time the magazine goes to press, general location of tracts, appraised prices, and other information.

Here, however, a word of warning is in order. Because "Our Public Lands" is published only four times a year, it is virtually impossible for the staff to compile complete, up-to-date data on pending public land sales, including possible last-minute changes in sale conditions, although every effort is made to do so. Again, the best sources of information are the Bureau's State Offices.

If you would like to subscribe to the magazine, you should send \$3 to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, and ask for a year's subscription to "Our Public Lands." Be sure that



your name and address, including zip code, are printed clearly or typed. Do not send subscription requests directly to BLM.

If I have found out about a parcel that interests me, what is my next move?

If you have received information about a parcel that interests you through writing a BLM State Office or reading the land sale page in "Our Public Lands," you should then ask the appropriate State Office for a prospectus describing the tract in detail. The prospectus will include a full description of the parcel, date of sale, special sale conditions, if any, and other information you should have before bidding. You should also ask the State Office for a form on which to make your bid. Use of the form is not mandatory, however.

If I decide I want to buy the parcel, what do I do next?

The prospectus you obtain from the State Office will help you decide whether you really want to bid. If you still aren't sure, you can write for additional details. If at all possible, of course, you should inspect the property yourself or have someone do it for you. The prospectus and the published legal notice of sale will contain bidding instructions.

Can land once listed for sale later be taken off the market?

Yes. For unforeseen technical or legal reasons, some tracts listed for sale may be taken off the market. While such action is unfortunate, it does happen from time to time. If it happens in your case, the BLM State Office can give you the specific reasons. All bids received for such tracts are, of course, returned immediately.

I've been told I can buy public land by mail . . . Is this true?

Yes, it is possible to buy public land by mail, but there's a catch. If you decide to do business on a long-distance basis entirely by mail, you may lose out to someone who personally attends the sale. Persons familiar with the bidding

process know that there's a distinct advantage in being present for a sale or sending a representative. The reason is that bids sent in by mail are announced at the sale site before oral bids are called for, and a mail bid cannot be raised unless the bidder or his representative is present during oral bidding at the State Office holding the sale.

Are transactions cash on the barrelhead or may I buy land on a time plan?

All public land sold by BLM must be paid for in full at the time of the sale. Mailed bids must be accompanied by a certified check, Postal Service money order, bank draft or cashier's check payable to the Bureau of Land Management. Personal checks or cash are accepted from bidders present at the auction, and as mentioned previously, all bids must at least equal the advertised appraised value.

Are any other fees required of the purchaser?

Yes, the land buyer must also pay at least part of the cost of publishing a legal notice of the sale in a newspaper. These costs vary depending upon the specific circumstances relating to each sale. The State Office will tell you the amount you must pay.

Do veterans get any special preference?

No, there are no special preference rights for veterans.

Are there any preference rights I should know about?

The law under which most parcels are sold specifies that an adjoining landowner may acquire a parcel for sale by (1) matching the highest bid, or (2) by paying three times the appraised price, whichever is less.

The right of preference must be asserted within 30 days after a sale is held. If more than one adjoining landowner wants the same parcel, the tract may be divided. Under some land sales laws, however, there are no provisions for preference rights. The published legal notice and the sale prospectus will identify any preference rights allowed.

Can I buy only part of a tract advertised for sale?

No, you must bid on the entire tract offered for sale.

What about the size of the tracts?

Most of them are relatively small, ranging from 40 to 120 acres. Occasionally, they have been as small as a fraction of an acre or as large as the maximum allowed, 1,520 acres.

Is it possible to farm a tract of this land?

Farming opportunities are very slim. Some parcels are suitable for grazing. In a few cases, a parcel is advertised as having "some agricultural potential."

Are some parcels inaccessible?

Some are completely surrounded by private holdings. This means that, if you buy such a tract, you will probably need an access agreement with your neighbors in order to reach your land. Many of the parcels are located in barren, rocky country far from public roads, utilities and water. The government does not guarantee access.

What about taxes?

If you are successful in buying public land following procedures described previously, you will be required to pay local taxes on it. Your deed — or patent — from BLM should be recorded at a county courthouse as soon as possible after the purchase. The fact that you have bought land from the Federal Government does not exempt it from local taxation.

How do I buy "tax land" or land sold for tax delinquency?

The Federal Government has no jurisdiction over lands on which local taxes have become delinquent, and it does not sell such lands. The exact way in which "tax lands" may be bought depends upon the laws of the various states. Complete information should be obtained from the tax assessor in the county in which such land is located.

Can I lease public land, rather than buy it?

BLM leases rights for grazing and mineral development, but does not normally lease land for home sites. BLM is not authorized to, and therefore does not, lease land for agricultural purposes.

Does the sale of public land have anything to do with homesteading?

Public land sales have nothing to do with *homesteading*. There is a good deal of confusion abroad over the meaning of the term “homesteading.” Much of the confusion stems from misleading advertisements and pamphlets prepared by the same promoters who try to sell the public the idea that anyone can buy Government land for practically nothing.

“Homesteading” has a specific legal meaning since it refers only to benefits conveyed under the Homestead Act of 1862. Under the Act, a settler could get free public land in return for developing a working farm operation, but public domain land suitable for farming has long since been distributed, and although the Act has never been repealed, homesteading for all practical purposes is a thing of the past, even in Alaska.

Are islands offered for sale?

Your chance of buying an island from BLM is almost nil. Islands usually have public recreational value, and are sold to state or local public agencies for use as public recreation areas.

What about “surplus land”?

This also is an area of some confusion. Every year, BLM receives inquiries about the possibility of acquiring “surplus lands.” In fact, the sale of Federal surplus lands — or surplus property — is handled by regional offices of the General Services Administration (GSA), Washington, D.C. 20405. If you are interested in finding out what is available for sale, you can write to GSA’s Property Management and Disposal Service at the above address or contact the agency’s regional offices in Boston, New York, Atlanta, San Francisco, Denver, Chicago, Kansas City, Fort Worth and Seattle. BLM has no involvement with surplus land or property disposal.

If I buy public land, do I get the minerals, too?

You may or may not get the mineral rights depending upon requirements of the law, assessment of the mineral potential of the land, or other factors. The published legal notice of sale and the sale prospectus will provide specific information on these points.

Bureau of Land Management

ALASKA

555 Cordova St.
Anchorage, Alaska 99501

ARIZONA

2400 Valley Bank Center
Phoenix, Ariz. 85025

CALIFORNIA

2800 Cottage Way
Room E-2841
Sacramento, Calif. 95825

COLORADO

1600 Broadway
Room 700
Denver, Colo. 80202

IDAHO

Federal Bldg.
Room 398
550 West Fort St.
Boise, Idaho 83724

MONTANA (N. Dak., S. Dak.)

Federal Bldg.
316 North 26th St.
P.O. Box 30157
Billings, Mont. 59101

Does the Government require me to make any special use of land I buy?

No. When you buy land from BLM, the Federal Government does not tell you how you can or should use it. However, in some areas, local zoning regulations and building codes require that the property be used in certain specific ways or prohibit the owner from putting it to certain uses.

State Offices

NEVADA

Federal Bldg.
300 Booth St.
Reno, Nev. 89502

NEW MEXICO (Okla.)

Federal Bldg.
P.O. Box 1449
Sante Fe, N. Mex. 87501

OREGON (Washington)

729 Northeast Oregon St.
P.O. Box 2965
Portland, Ore. 97208

UTAH

Federal Bldg.
125 South State St.
Salt Lake City, Utah 84111

WYOMING (Neb., Kans.)

2120 Capitol Ave.
P.O. Box 1828
Cheyenne, Wyo. 82001

EASTERN STATES OFFICE

Robin Bldg.
7981 Eastern Ave.
Silver Spring, Md. 20910

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United States. Bureau of Land Management

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Bureau of Land Management